

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

ANTHONY FRANCIS,

Plaintiff

v.

Civil Action No.

KAMAN INDUSTRIAL TECHNOLOGIES
CORP.

Defendant

NOTICE OF REMOVAL AND DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§1441 and 1446, Defendant, KAMAN INDUSTRIAL TECHNOLOGIES CORPORATION, by and through its attorneys, JACKSON LEWIS P.C., hereby remove this action from the Superior Court of the State of Maine, Kennebec County, to the United States District Court for the District of Maine. In support of this Notice of Removal, Defendant states as follows:

1. By Complaint dated August 29, 2019 and filed on or about that date in the Kennebec County Superior Court, Plaintiff Anthony Francis instituted a claim against Kaman Industrial Technologies Corporation, alleging disability discrimination in violation of the Maine Human Rights ACT (“MHRA”). A copy of the State Court Complaint is attached hereto as Exhibit 1. A copy of the State Court Summons, State Court Summary Sheet, and Defendant’s Notice of Filing of Notice of Removal to State Court Clerk are attached hereto as Exhibits 2 through 4. Certified copies of the state court pleadings will be filed upon receipt of same from the Kennebec County Superior Court.

2. Pursuant to 28 U.S.C. §1446(a), this notice of removal is timely filed within thirty (30) days of September 3, 2019, the date on which service of process was made upon Defendant.

3. This Court has jurisdiction over this action by virtue of federal question jurisdiction pursuant to 28 U.S.C. §1331. Specifically, Plaintiff is alleging violations of the Americans with Disabilities Act, 42 U.S.C. §12101 (“ADA”), as well as various other claims pursuant to state law including retaliation and other statutory violations.

4. As this action could have been commenced in this Court, removal is proper. 28 U.S.C. §1441(a). Furthermore, this Court may exercise supplemental jurisdiction over the Plaintiff’s state law claims. See 28 U.S.C. §1367(a).

Respectfully Submitted,
KAMAN INDUSTRIAL TECHNOLOGIES,
CORP.,
By its attorneys,
JACKSON LEWIS P.C.,

Date: September 23, 2019

By: /s/Daniel P. Schwarz
Daniel P. Schwarz, ME Bar No. 7498
100 International Drive, Suite 363
Portsmouth, NH 03801
603.559.2700
Daniel.schwarz@jacksonlewis.com

Certificate of Service

I hereby certify that the foregoing was served via first class mail postage prepaid on the following:

Michele Lumbert
Kennebec County Superior Court
1 Court Street, Suite 101
Augusta, ME 04330

Stephen C. Smith
John E. Baldacci, Jr.
Lipman & Katz
PO Box 1051
Augusta, ME 04332-1051

Date: September 23, 2019

/s/Daniel P. Schwarz
Daniel P. Schwarz